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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,073	07/16/2001	Suguru Tsuchiya	P20746	5981

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EXAMINER

NGUYEN, MADELEINE ANH VINH

ART UNIT PAPER NUMBER

2626

DATE MAILED: 10/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/905,073	Applicant(s) TSUCHIYA, SUGURU	
	Examiner Madeleine AV Nguyen	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This communication is responsive to amendment filed on June 28, 2005.

Applicant cancels claims 1-10, adds new claims 11-17.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 11-13, 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida et al (US Patent No. 6,801,546).

Concerning claim 11, Yoshida teaches a facsimile apparatus (facsimile machine A, Fig.29) transmitting image data to a relay Internet facsimile apparatus (30, Fig.29) via PSTN (34), the relay Internet facsimile apparatus transmitting the image data to a plurality of receiving Internet facsimile apparatuses via the Internet (38), the facsimile apparatus comprising an input device (14) configured to input the image data; a panel (24) configured to input predetermined information identifying the relay Internet facsimile apparatus and sub-address of the receiving Internet facsimile apparatus, the relay Internet facsimile apparatus having a memory that stores a plurality of IP addresses of the receiving Internet facsimile apparatuses corresponding to the plurality of the sub-addresses of the receiving Internet facsimile apparatuses; and a controller (20) that, when the predetermined information and the plurality of the sub-address of the

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receiving Internet facsimile apparatus are input by the panel, transmits, to the relay Internet facsimile apparatus via the PSTN, the input image data and the sub-address of the receiving Internet facsimile apparatus, based on the input predetermined information identifying the relay Internet facsimile apparatus, the relay Internet facsimile apparatus converting the transmitted image data into data for Internet transmission and relaying the converted data to the receiving Internet facsimile apparatus via the Internet, based on the plurality of the IP addresses of the receiving Internet facsimile apparatuses corresponding to the plurality of the sub-addresses of the receiving Internet facsimile apparatuses stored in the memory of the relay Internet facsimile apparatus (Figs.30-35; Abstract; col. 25, line 53 – col. 29, line 58; col. 30, lines 31-41; col. 31, lines 3-38).

Yoshida does not directly teach that the panel input a plurality of sub-addresses of the receiving Internet facsimile apparatus. However, it is a matter of well known in the prior art that the user can send facsimile data to a plurality of receiving facsimile apparatuses. For instance, Yoshida teaches in claim 1 a reception means for “receiving at least a sub-address and transmission data” (col. 35, lines 23-24). That means the communication apparatus in Yoshida can receive more than one sub-address. It would have been obvious to one skilled in the art at the time the invention was made to consider the communication system in Fig.29 of Yoshida can input more than one sub-address of the receiving Internet facsimile apparatuses since Yoshida also teaches the case the reception means of the system can receive more than one sub-addresses of the receiving Internet facsimile apparatuses.

Concerning claims 12-13, 15, Yoshida further teaches that the controller transmits the input image data and the sub-address of the receiving Internet facsimile apparatus to the

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receiving Internet facsimile apparatus based on the predetermined information identifying the relay Internet facsimile apparatus, (col. 27, line 46 – col. 28, line 27; col. 31, lines 2-22), (claim 12); the panel includes a plurality of one-touch buttons, (col. 26, lines 59-61), (claim 13); the predetermined information comprises a telephone number of the relay Internet facsimile apparatus, (col. 26, lines 51-58), (claim 15).

Concerning claim 16, Yoshida discloses a relay Internet facsimile apparatus (30, Fig.29) comprising a memory for storing a plurality of IP addresses of receiving Internet facsimile apparatuses corresponding to a plurality of sub-addresses of the receiving Internet facsimile apparatus; a communicator for receiving from the transmitting facsimile apparatus (facsimile machine A) via PSTN (30), image data and the sub-address of the receiving facsimile apparatus in a single facsimile transmission; and a controller that, when the sub-address is received, relays the converted data to the receiving Internet facsimile apparatus via the Internet (38), (Figs.30-35; Abstract; col. 25, line 53 - col. 29, line 58; col. 30, lines 31-41; col. 31, lines 3-38).

Yoshida does not directly teach that the communicator receives a plurality of the sub-addresses of the receiving Internet facsimile apparatuses in a single facsimile transmission. However, it is a matter of well known in the prior art that the user can send facsimile data to a plurality of receiving facsimile apparatuses. For instance, Yoshida teaches in claim 1 a reception means for “receiving at least a sub-address and transmission data” (col. 35, lines 23-24). That means the communication apparatus in Yoshida can receive more than one sub-address. It would have been obvious to one skilled in the art at the time the invention was made to consider the communication system in Fig.29 of Yoshida can receive more than one sub-address of the receiving Internet facsimile apparatuses since Yoshida also teaches the case the reception means

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of the system can receive more than one sub-addresses of the receiving Internet facsimile apparatuses.

Claim 17 is method claim of apparatus claim 11 above. Claim 17 is rejected for the same rationales set forth for claim 11.

3. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida as applied to claim 1 above, and further in view of Mori (US Patent No. 6,384,927).

Concerning claim 14, Yoshida fails to teach that the controller transmits the sub-address using a NSS signal. From the same field of endeavor, Mori discloses an Internet facsimile machine transmitting image data to a relay Internet facsimile apparatus (Figs. 1-2) which uses NSS signal to transmit the sub-address of the receiving Internet facsimile apparatus (col. 10, lines 53-57). It would have been obvious to one skilled in the art at the time the invention was made to combine the above teaching of Mori to the facsimile apparatus in Yoshida since Yoshida also teaches the group 3 facsimile communications using T30 wherein the use of NSS is a matter of well known in the prior art.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Toyoda et al (US Patent No. 6,781,721) discloses a facsimile apparatus with relay function and relay method wherein the facsimile apparatus is connected to a telephone network and to an Internet network.

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5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

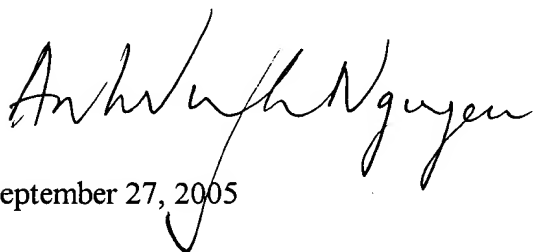
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Madeleine AV Nguyen whose telephone number is 571 272-7466. The examiner can normally be reached on Monday, Tuesday, Thursday 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on 571 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in cursive script, appearing to read "Madeleine AV Nguyen". The signature is written in black ink and is positioned to the left of the printed name.

September 27, 2005

Madeleine AV Nguyen
Primary Examiner
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